

Appl. No.: 10/803,180
Atty. Docket: CL1511ORD

REMARKS

Status of the Claims

Claims 1 and 27-65 are pending. Claims 46-55 have been withdrawn due to a typographical error.

By entry of this amendment, claims 27, 28, 37, 38, 46-55, 57 and 58 have been canceled without disclaimer or prejudice. Applicants reserve the right to pursue the subject matter encompassed in the canceled claims in subsequent continuation or divisional applications.

Claims 1, 29, 32, 36, 39, 56, 59 have been amended by this amendment. New claims 66-73 have been added. Thus, claims 1, 29-36, 39-45, 56, 59-73 are currently under examination.

No new matter has been added by this amendment.

Support for amended claims and the new claims can be found in the specification, Table 1, Table 2, Table 5, Table 6 and the Sequence Listing. Note that SEQ ID NO: 1688 is the genomic sequence where SEQ ID NO: 5502 (201 nucleotides) can be found.

This amendment adds, changes and/or deletes claims in the instant application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, are presented with an appropriate defined status identifiers. See 37 C.F.R. §1.121(c).

Withdrawn objections and rejections

Applicants would like to thank the Examiner for withdrawing the objections to the specification and the claims, and the rejections to the claims as stated in the Final Office Action.

Claim Objections

The Examiner objected to claims 29, 39, 49, and 59.

By entry of this amendment, the objections are obviated, and should be withdrawn.

Rejections under 35 USC §112, second paragraph, indefiniteness

Claims 29, 39, and 59 stand rejected under 35 USC §112, second paragraph, as being allegedly indefinite. Applicants respectfully traverse.

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By entry of this amendment, the phrase "as represented by" has been replaced, and the amended claim language is easily understood by one with ordinary skill in the art. Thus, the Examiner is respectfully requested to withdraw the rejections.

Rejections under 35 USC §112, first paragraph, written description

The claims are rejected under 35 USC §112, first paragraph, for allegedly being not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants respectfully traverse.

The Examiner stated that the claims encompass any SNP variant at position 101 of SEQ ID NO: 5502 that is associated with an altered risk for RA. However, as shown in the Seq. Listing, and in Table 1 and Table 2, the SNP that is claimed in the instant application is indicated by the designation "R", which symbolized A/G at position 101. Thus, the current claims are clearly enabled by the specification as filed. In addition, the claims have been amended to recite the complement of the required SEQ ID NO, which is taught in the specification as recognized by the Examiner.

Therefore, the rejections under 35 USC §112, first paragraph, for allegedly lack of adequate written description have been overcome. The Examiner is respectfully requested to withdraw the rejections.

Rejections under 35 USC §112, first paragraph, enablement

The claims are rejected under 35 USC §112, first paragraph, for allegedly being not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicants respectfully traverse.

In the interest of expediting the prosecution of the instant application, Applicants have amended the claims to recite positive autoantibody rheumatoid factor RA, and to specifically point out the number of alleles that are required for either increased risk or decreased risk association, thus overcoming the enablement rejection.

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Therefore, the rejections under 35 USC §112, first paragraph, for allegedly lack of enablement have been overcome with the claims amendment and in light of the remarks above. The Examiner is respectfully requested to withdraw the rejections.

In conclusion, in light of the amendments and remarks above, Applicants submit that the present application is fully in condition for allowance. Early notice to that effect is earnestly requested.

The Examiner is invited to contact the undersigned via telephone if a phone interview would expedite the prosecution of the instant patent application.

Respectfully submitted,

By:



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